

Gwen Rutar Mullins, Esq.
Nevada Bar No. 3164
HOWARD & HOWARD ATTORNEYS PLLC
3800 Howard Hughes Pkwy., Ste. 1000
Las Vegas, NV 89169
Telephone: (702) 257-1483
Facsimile: (702) 567-1568
E-Mail Address: grm@h2law.com
*Attorneys for Casas Construction
and Daniel J. Casas*

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA for the use
and benefit of CASAS CONSTRUCTION,

Plaintiff,

vs.

SIERRA RANGE CONSTRUCTION, a
California corporation; PHILADELPHIA
INDEMNITY INSURANCE COMPANY,
AND DOES I through V, inclusive,

Defendants.

Case No.: 2:21-CV-00573-RFB-DJA

**STIPULATION AND ORDER TO
EXTEND DEADLINE FOR JOINT
PRETRIAL ORDER (Second Request)**

SIERRA RANGE CONSTRUCTION, a
California corporation;

Cross-Claimant,

vs.

CASAS CONSTRUCTION, a Nevada
corporation; DANIEL J. CASAS, an individual,
and ROES 1 through 5, inclusive;

Cross-Defendants.

Pursuant to LR 7-1, LR IA 6-1, and LR IA 6-2, CASAS CONSTRUCTION and DANIEL J. CASAS, (jointly referred to as “Plaintiff”) by and through their counsel of record, Gwen Rutar Mullins, Esq., of the law firm of HOWARD & HOWARD ATTORNEYS PLLC, and SIERRA RANGE CONSTRUCTION and PHILADELPHIA INDEMNITY INSURANCE COMPANY (jointly referred to as “Defendants”), by and through their attorneys of record, William J. Braun, Esq. of the law firm of BRAUN & MELUCCI, LLP and Steven L. Yarmy, Esq. of the LAW OFFICES OF STEVEN L. YARMY by their respective counsel, that the parties shall have additional time to draft and file the proposed Joint Pretrial Order (“JPTO”). This is the second request for an extension.

The extension is necessary and requested by Plaintiff’s counsel due to Plaintiff’s counsel’s conflicting schedule on another Court matter and in order to allow Plaintiff’s counsel to review the draft list of Defendants’ trial exhibits and the proposed revisions and additions made by Defendants’ counsel to the JPTO. The timing has been discussed with counsel and the parties have agreed to a two-week extension to the current deadline, May 30, 2024. The two-week extension will also allow Plaintiff’s counsel to review Defendant’s draft documents and further allow the parties a meaningful opportunity to pare down the issues in the final JPTO.

On April 24, 2024, the parties submitted a Stipulation and Order to Extend Deadline for Joint Pretrial Order (First Request).” (ECF No. 68). The Court granted the stipulation on April 29, 2024 (ECF No. 69) setting the deadline for the parties to submit the JPTO on May 30, 2024. In conformity with such stipulation, Plaintiff’s counsel prepared and provided Defendants’ counsel with a draft JPTO and Plaintiff’s list of trial exhibits on May 16, 2024. Defendants’ counsel provided Defendants’ list of exhibits on May 28, 2024 and is expected to provide Defendants’ written comments to the initial draft of JPTO on May 29, 2024. Additional time is needed for Plaintiff’s counsel to review Defendants’ initial drafts and for parties to address any objections/comments to each other’s submission. The sole remaining deadline in the Court-ordered schedule is the filing of the JPTO with the Court. The parties further desire additional time in order to meet and confer for the purpose of attempting to pare down the issues in the JPTO and to come to an agreement as to the exhibits and any objections thereto so to streamline

to the extent possible the trial on this matter. Due to the Plaintiff's conflicting schedule, additional time is needed by Plaintiff's counsel for this purpose, to which additional time Defendants' counsel does not object.

The parties now respectfully propose to extend the filing of the JPTO by two weeks to and including June 13, 2024. Good cause exists for the extension as set forth herein. This is the second request for an extension of this deadline and is not intended to cause any delay. This stipulation is submitted for the limited purpose of extending the above deadline and is without prejudice to any parties' rights.

PROPOSED JOINT PRE-TRIAL ORDER DEADLINE

For the foregoing reasons, good cause exists to extend the deadlines set forth herein. Accordingly, the parties stipulate and agree to amend the Discovery Plan and the Scheduling Order as set forth herein and further agree to the following proposed new deadline:

Joint Pretrial Order: **June 13, 2024**

As set forth herein, this Stipulation is supported by good cause and is not made for purposes of delay.

Dated this 29th day of May, 2024.

HOWARD & HOWARD ATTORNEYS PLLC BRAUN & MELUCCI, LLP

/s/ Gwen Rutar Mullins

GWEN RUTAR MULLINS, ESQ.
Nevada Bar No. 003146
3800 Howard Hughes Pkwy, Ste. 1000
Las Vegas, Nevada 89169
*Attorneys for Casas Construction and
Daniel J. Casas*

/s/ William J. Braun

William J. Braun, Esq.
Pro Hac Vice
7855 Ivanhoe Avenue, Ste. 400
La Jolla, CA 92037

and

Steven L. Yarmy, Esq.
LAW OFFICES OF STEVEN L.
YARMY
7464 West Sahara Avenue
Las Vegas, Nevada 89117
*Attorneys for Sierra Range
Construction*

ORDER

This Court, having reviewed and considered the Stipulation by the parties, and Good Cause Appearing therefore, the Joint Pretrial Order deadline will be extended as agreed to by the parties as follows:

Joint Pretrial Order

June 13, 2024

IT IS SO ORDERED.

DATED this 31 day of May, 2024.


UNITED STATES MAGISTRATE JUDGE

Howard & Howard Attorneys PLLC
3800 Howard Hughes Pkwy., Ste. 1000
Las Vegas, NV 89169
(702) 257-1483

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